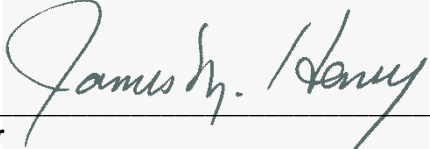
	<b>POLICIES AND PROCEDURES</b>  <b>State of Tennessee</b> <b>Department of Intellectual and Developmental Disabilities</b>	<b>Policy #: 80.5.3</b>	<b>Page 1 of 3</b>
<b>Policy Type: Administrative</b>		<b>Effective Date: October 15, 2012</b>	
<b>Approved by:</b>  <b>Commissioner</b>		<b>Supersedes: P-018</b>  <b>Last Review or Revision: October 10, 2012</b>	
<b>Subject: Vehicle Protective Barrier Subsidy</b>			

- I. **AUTHORITY:** Tennessee Code Annotated, Section 4-3-2708 and Home and Community Based Services Waiver.
- II. **PURPOSE:** The purpose of this policy is to provide clarification about the eligibility criteria for a Vehicle Protective Barrier Subsidy that is state-funded by the Department of Intellectual and Developmental Disabilities (hereinafter "Department" or "DIDD") and the process for requesting and authorizing the subsidy.
- III. **APPLICABILITY:** This policy applies to staff of the Department of Intellectual and Developmental Disabilities who are responsible for authorizing requests for state-funded Vehicle Protective Barrier Subsidies.
- IV. **DEFINITIONS:**
  - A. **Class Member** shall mean an individual who meets the requirements in the definition of the class specified in:
    1. People First of Tennessee, et al. v. Clover Bottom Developmental Center.
    2. The United States of America v. State of Tennessee et al. (Arlington Developmental Center).
    3. The qualifications of the "at-risk" portion of the Class Definition as defined by the 2006 Settlement Agreement approved by the West Tennessee Federal District Court on February 15, 2007.
  - B. **Home and Community Based Services (HCBS) waiver or waiver** shall mean a waiver approved for Tennessee by the Centers for Medicare and Medicaid Services to provide services to a specified number of Medicaid eligible individuals who have an intellectual disability and who meet criteria for Medicaid criteria of reimbursement in an Intermediate Care Facility for People with Intellectual Disabilities. The HCBS waivers for people with Intellectual Disabilities in Tennessee are operated by the Department of Intellectual Disabilities with oversight from TennCare, the state Medicaid agency.

Effective Date: October 15, 2012	Policy #: 80.5.3	Page 2 of 3
Subject: VEHICLE PROTECTIVE BARRIER SUBSIDY		

C. **Qualified HCBS Waiver Residential Service** shall mean one of the following HCBS waiver services:

1. Supported Living provided in a home that has three (3) or fewer persons supported.
2. Medical Residential Services provided in a home that has three (3) or fewer persons supported.
3. Residential Habilitation provided in a home that has three (3) or fewer persons supported.

D. **Vehicle Protective Barrier Subsidy** shall mean a state-funded subsidy provided by the Department of Intellectual and Developmental Disabilities to a residential service provider to modify a vehicle through the addition of a barrier to protect the driver during transport of an individual having an established history of aggressive behavior that would reasonably be expected to pose a serious and imminent danger to the driver during transport or to result in an auto accident.

V. **POLICY:** There are occasions when additional safety measures are required for a person supported to be safely transported in a vehicle. This policy institutes a method by which providers of waiver services may obtain a vehicle protective barrier subsidy.

VI. **PROCEDURES:**

- A. **Amount of Subsidy:** A Vehicle Protective Barrier Subsidy shall be limited to a one-time subsidy of no more than \$800.00. The provider shall maintain itemized documentation of expenses to support the amount of the subsidy requested for installation of the protective barrier.
- B. **Purpose of Subsidy:** A Vehicle Protective Barrier Subsidy shall only be used for labor and materials needed to install a protective barrier in a vehicle between the driver and rear seats. The vehicle in which the protective barrier is installed shall be accessible for transport of the Class Member who meets the eligibility requirements specified in this policy. The provider may transport other persons supported in such vehicle with the Class Member when it is appropriate to do so. When the vehicle is not being used to transport the Class Member, the provider may use the vehicle to transport other persons supported.
- C. **Eligibility for a Vehicle Protective Barrier Subsidy:** A provider may receive a Vehicle Protective Barrier Subsidy in accordance with the following:
  1. The person supported for whom the protective barrier is needed to ensure safe transport must meet all of the following criteria:
    - a. The person supported must be a Class Member.

Effective Date: October 15, 2012	Policy #: 80.5.3	Page 3 of 3
Subject: VEHICLE PROTECTIVE BARRIER SUBSIDY		

- b. The person supported must have an established history of aggressive behavior that would reasonably be expected to pose a serious and imminent danger to the driver during transport or to result in an auto accident.
    - c. The person supported must be receiving a Qualified HCBS Waiver Residential Service as defined herein.
  - 2. The provider must own or lease the vehicle in which the protective barrier will be installed.
  - 3. The residential service provider must have a Vehicle Protective Barrier Subsidy Request Form approved by the Department of Intellectual and Developmental Disabilities.
- D. Requesting a Vehicle Protective Barrier Subsidy: To request a Vehicle Protective Barrier Subsidy, the residential provider agency must submit a completed request form to the DIDD Regional Director or designee for review. Request forms may be obtained from the Regional Office or from the Department's web site. Along with the request form, the provider must submit itemized documentation to support the amount of the subsidy requested.
- E. Payment: The Vehicle Protective Barrier Subsidy shall be a provider subsidy paid on behalf of the eligible Class Member to the provider of the Qualified HCBS Waiver Residential Service.

VII. **ATTACHMENTS:**

- A. Attachment #1: Request for Vehicle Protective Barrier Subsidy form